

# SHAW KELLER

---

LLP

Emily S. DiBenedetto  
I.M. Pei Building  
1105 North Market St., 12<sup>th</sup> Floor  
Wilmington, DE 19801  
(302) 298-0713  
edibenedetto@shawkeller.com

January 7, 2025

**BY CM/ECF**

The Honorable John F. Murphy  
United States District Court  
Eastern District of Pennsylvania  
601 Market Street, Room 3809  
Philadelphia, PA 19106

Re: *Duesenfeld GmbH v. Ascend Elements, Inc.*, C.A. No. 23-1194-JFM (D. Del.)

Dear Judge Murphy,

To aid the Court in its resolution of the pending motions, we submit the following record citations in support of counsel's remarks about the recently departed employees of Ascend Elements. The record citations are as follows: D.I. 122-1 at 184:21-185:15 (Eric Lee); *id.* at 225:14-226:10 (Iaana Horton); and *id.* at 233:18-25 (Dan Russell). This testimony was elicited on January 3, 2025, after briefing on the motion to stay was closed.

Duesenfeld will seek to redact confidential material from the January 7, 2025 hearing transcript, and will be filing a Notice of Intent to Redact and Motion to Redact Transcript pursuant to the Court's procedures.

Respectfully submitted,

/s/ *Emily S. DiBenedetto*

Emily S. DiBenedetto (No. 6779)

cc: Clerk of the Court (by CM/ECF)  
All counsel of record (by CM/ECF & Email)